



State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES

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(603) 271-2457 FAX (603) 271-7894



Richard Wheatley
Drummer Boy Motor Inn
RR1 Box 118 Route 3
Lincoln, New Hampshire 0325

LETTER OF DEFICIENCY
WMB PBF 02-01
January 10, 2002

Dear Mr. Wheatley:

The Department of Environmental Services, Water Division ("DES") is required by RSA 485-A:26 to operate a program to ensure the health and safety of the public when using public bathing facilities such as pools and spas. To implement this program, DES has adopted administrative rules Env-Ws 1101-1105 to specify the design, operation, and maintenance requirements for public bathing facilities. DES reviews applications for new public bathing facilities and also inspects and tests the water in existing public bathing facilities to ensure that applicable requirements are being met.

On December 26, 2001, DES inspected the following public bathing facilities at the Drummer Boy Motor Inn in Lincoln, NH: the indoor pool ("Indoor Pool") and spa ("Spa"). During this inspection the following deficiencies were noted:

A recommendation to close the Indoor Pool was issued on December 26, 2001. The inspection on December 26, 2001 revealed that the Indoor Pool was in violation of Env-Ws 1103.14 and unsafe for public use. The following bacterial violations were observed in the Indoor Pool water:

- (a) Pursuant to Env-Ws 1103.14(a)(2) the maximum allowable Heterotrophic Plate Count (HPC) in public bathing facility water is five hundred colony-forming units per one milliliter (500 cfu/mL). The Indoor Pool water contained greater than 30,000 cfu/mL.
 - (b) The maximum allowable concentration of non-coliform bacteria in public bathing facility water is two hundred counts per one hundred milliliters (200 CTS/100mL). The Indoor Pool water contained greater than 200 CTS/100mL.
2. Env-Ws 1103.15(c) requires a bromine concentration between 2.0 mg/L and 4.0 mg/L in public pool water. The bromine concentration of the Indoor Pool water was 0.2 mg/L on December 26, 2001.
 3. Env-Ws 1103.16(e) requires a bromine concentration between 2.0 mg/L and 5.0 mg/L in public spa water, with an absolute maximum of 10 mg/L bromine. The bromine concentration of the Spa water was approximately 13 mg/L on December 26, 2001.
 4. Env-Ws 1105.01(j) requires a rope with attached floats a ("breakpoint safety line") to be placed across public pools over the break in depth between the shallow and deep portions of the pool. A breakpoint safety line was not present in the Indoor Pool at the time of the inspection.
 5. Env-Ws 1104.03(e)(1) states that the depth of water in feet shall be plainly and conspicuously marked at or above the water line on the vertical pool wall and on the top of the coping or edge of the deck or walk next to the pool. The depth of the Indoor Pool was not marked on the deck of the Indoor Pool.

6. Pursuant to Env-Ws 1105.01(k)(8), suction outlets shall be provided with a cover that has been tested and approved by a nationally recognized testing laboratory. Flat grates under 10" diameter do not meet the requirements of ANSI/NSF Standard 50 or ASME/ANSI A112.19.8M ("Suction Fittings for use in Swimming Pools, Wading Pool, Spas, Hot Tubs, and Whirlpool Bath Applications"). The Indoor Pool has a flat grate under 10" diameter. The Spa has a flat grate under 10" diameter.

A report outlining how compliance will be achieved with the cited deficiencies should be submitted to DES within 30 calendar days from receipt of this letter. The report should include the following:

1. A copy of two weeks of water quality test results for all facilities (please do not send originals).
2. The type, manufacture, and model of the main drain cover to be installed.
3. A timetable of when:
 - a. the safety items will be in place,
 - b. the depth will be marked, and
 - c. the installation of the main drain covers will be completed.

DES personnel will conduct another inspection at a later date to determine whether you have come into, and are maintaining, full compliance with RSA 485-A:26 and Env-Ws 1101-1105. After a violation of Env-Ws 1103.14, the facility will be required to pass two inspection in the following months. In the event that compliance is not achieved, DES may take further action, including seeking an administrative fine up to \$2,000 for each offense or referring the case to the NH Attorney General's Office for judicial action.

We appreciate your cooperation in this matter. Please contact Amy Wilson at (603) 271-7108 if you have any questions regarding this letter. Copies of Env-Ws 1101-1105 are available through the DES Public Information Center at (603) 271-2975 or via the Internet at <http://www.des.state.nh.us/pools/env1100.pdf>.

Sincerely,

 **COPY** for
Jody Connor
Limnology Center Director

cc Gretchen C. Rule, Enforcement Coordinator, DES ✓
Russell A. Nylander, P.E., Chief Engineer, WD/DES
Amy Wilson, Public Bathing Facility Coordinator, DES
Jane Duguay, Health Officer, Town of Lincoln